

Notice of Allowability	Application No.	Applicant(s)
	10/583,466	ANDERSON ET AL.
	Examiner	Art Unit
	WU-CHENG SHEN	1632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 06/13/2011.
2. ☒ The allowed claim(s) is/are 272, 273, 280-284 and 291.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. <input type="checkbox"/> Notice of References Cited (PTO-892)	5. <input type="checkbox"/> Notice of Informal Patent Application
2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	6. <input type="checkbox"/> Interview Summary (PTO-413), Paper No./Mail Date _____.
3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____	7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment
4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material	8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance
	9. <input type="checkbox"/> Other _____.
/Wu-Cheng Winston Shen/ Primary Examiner, Art Unit 1632	

EXAMINER'S AMENDMENTS

An Examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

An extension of time under 37 CFR 1.136(a) is required in order to make an examiner's amendment which places this application in condition for allowance. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a phone interview by the attorney of record James A. Fox on August 5, 2011.

Previous rejection of claims 281, 282 and 284 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention, is *withdrawn* because Applicant's arguments in combination with claim amendments filed on 06/13/2011 have been fully considered and found persuasive.

Previous scope of enablement rejection of claims 272, 273, 280-284, and 291 under 35 U.S.C. 112, first paragraph is *withdrawn* because Applicant's arguments in combination with claim amendments filed on 06/13/2011 have been fully considered and found persuasive.

The application has been amended as follows:

In the claim

1. Replace claims 272, 273, 280-284 and 291 as follows:

272. A method of identifying an agent that modulates a retinal abnormality, the method comprising: (a) providing a transgenic mouse whose genome comprises a knockout of the gene which encodes for the native sequence PRO224 polypeptide, said mouse comprising a retinal abnormality resulting from said PRO224 gene knockout; (b) measuring a physiological characteristic of a retina of the transgenic mouse of (a); (c) comparing the measured physiological characteristic of (b) with that of a gender matched wild-type mouse, wherein the physiological characteristic of a retina of the transgenic mouse that differs from the physiological characteristic of a retina of the wild-type mouse is identified as a retinal abnormality resulting from the PRO224 gene knockout in the transgenic mouse; (d) administering a test agent to the transgenic mouse of (a); and (e) determining whether the test agent modulates said retinal abnormality, whereby an agent which is determined to modulate a retinal abnormality is identified.

273. The method of claim 272, wherein the retinal abnormality comprises a retinal artery obstruction or occlusion.

280. The method of claim 272, wherein the retinal abnormality is a vascular retinal abnormality.

281. The method of claim 272, wherein the retinal abnormality causes vision problems or blindness.

282. The method of claim 272, wherein the retinal abnormality is retinitis pigmentosa.

283. The method of claim 272, wherein the retinal abnormality is characterized by retinal degeneration or retinal dysplasia.

284. The method of claim 272, wherein the retinal abnormality is selected from the group consisting of retinal dysplasia, a retinopathy, retinopathy of prematurity, retrolental fibroplasia, neovascular glaucoma, age-related macular degeneration, diabetic macular edema, retinal/choroidal neovascularization, neovascularization of the angle (rubeosis), ocular neovascular disease, vascular restenosis, arteriovenous malformations (AVM), meningioma, hemangioma, angiofibroma, thyroid hyperplasia, Grave's disease, retinal artery obstruction or occlusion, retinal degeneration causing secondary atrophy of the retinal vasculature, retinitis pigmentosa, macular dystrophies, Stargardt's disease, congenital stationary night blindness, choroideremia, gyrate atrophy, Leber's congenital amaurosis, retinoschisis disorders, Wagner's syndrome, Usher syndrome, Zellweger syndrome, Saldino-Mainzer syndrome, Senior-Loken syndrome, Bardet-Biedl syndrome, Alport's syndrome, Alstrom's syndrome, Cockayne's syndrome, dysplasia spondyloepiphysaria congenita, Flynn-Aird syndrome, Marshall syndrome, Albers-Schnoberg disease, Refsum's disease, Keams-Sayre syndrome, Stickler syndrome, Wolfram syndrome, Bassen-Kornzweig syndrome, abetalipoproteinemia, incontinentia pigmenti, Batten's disease, mucopolysaccharidoses, homocystinuria, and mannosidosis.

291. The method of claim 272, wherein the transgenic mouse exhibits an increased mean artery-to-vein ratio associated with retinal degeneration, as compared with gender-matched wild-type littermates.

Any inquiry concerning this communication from the examiner should be directed to Wu-Cheng Winston Shen whose telephone number is (571) 272-3157 and Fax number is 571-273-3157. The examiner can normally be reached on Monday through Friday from 8:00 AM to 4:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the supervisory patent examiner, Peter Paras, Jr. can be reached on (571) 272-4517. The fax number for TC 1600 is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Wu-Cheng Winston Shen/
Primary Examiner
Art Unit 1632